

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:09-CR-216-FL-8**

UNITED STATES OF AMERICA

v.

**ZIYAD YAGHI,
Defendant.**

**MOTION FOR
EXTENSION OF TIME TO FILE**

COMES NOW, James M. Ayers II, newly appointed counsel for Defendant Ziyad Yaghi, pursuant to the Court's Order dated July 14, 2010 [DE 479] and moves this Honorable Court for a 60 (sixty) day Extension of Time to file the following documents:

1. Defense Objections/Consent to Government Proposed Changes to Government Designated Existing Transcripts.
2. Motions re: General/SBU Discovery
3. Motions re: Foreign Depositions per Rule 15
4. Defense Designated and Proposed Changes re: Existing Transcripts

In support of this motion counsel shows unto the Court that he first appeared in this case on December 21, 2010. Counsel has diligently spent a significant amount of time attempting to organize and review the massive amounts of Discovery and information generated over the past year by the Government. Counsel has met with the Defendant, the computer expert and with Doug McCullough, previous counsel for this Defendant. Counsel attended the Status Conference in Raleigh on January 13, 2011. The interests of justice require that newly appointed counsel be allowed an additional 60 (sixty) days to respond to the above-referenced deadlines. Counsel has spoken with the Government and there is no objection to this Motion. The Government does request that any follow up dates or response time be extended contemporaneously with this Motion.

WHEREFORE, counsel for Defendant Ziyad Yaghi, respectfully requests this Court to extend the time to file documents by 60 (sixty) days.

Respectfully submitted this the 24th day of January, 2011.

/s/James M. Ayers II

Attorney for Defendant Ziyad Yaghi

Ayers & Haidt, P.A.

307 Metcalf Street

Post Office Box 1544

New Bern, North Carolina 28563

Telephone: (252) 638-2955

Facsimile: (252) 638-3293

jimayers2@embarqmail.com

State Bar No. 18085

Criminal – Appointed

CERTIFICATE OF SERVICE

This is to certify that the undersigned has personally served a copy of the forgoing document, with attachments unless otherwise noted, according to the applicable Civil Procedure Rules of this Court, to wit:

 X CM/ECF (U.S. District Courts; U.S. Courts of Appeal)

Date January 24, 2011

/s/James M. Ayers II
Attorney for Defendant Ziyad Yaghi
Ayers & Haidt, P.A.
307 Metcalf Street
Post Office Box 1544
New Bern, North Carolina 28563
Telephone: (252) 638-2955
Facsimile: (252) 638-3293
jimayers2@embarqmail.com
State Bar No. 18085
Criminal - Appointed

TO: John Bowler
U.S. Attorney's Office
310 New Bern Ave.
Suite 800
Raleigh, NC 27601-1461
john.s.bowler@usdoj.gov

Jason Harris Cowley
U.S. Attorney's Office
310 New Bern Avenue
Suite 800
Raleigh, NC 27601-27601
jason.cowley@usdoj.gov

R. Daniel Boyce
Boyce & Isley, PLLC
P.O. Box 1990
Raleigh, NC 27602-1990
dboyce@boyceisley.com

Rosemary Godwin
Federal Public Defender
150 Fayetteville St. Mall
Suite 450
Raleigh, NC 27601-2919
rosemary_godwin@fd.org

Debra C. Graves
Federal Public Defender
150 Fayetteville St. Mall
Suite 450
Raleigh, NC 27601-8005
debra_graves@fd.org

Myron T. Hill, Jr.
Browning & Hill
200 E. Fourth Street
Greenville, NC 27835
mhill@browning-hill.com

Jason M. Kellhofer
US Department of Justice
950 Pennsylvania Avenue NW
Room 2720
Washington, DC 20530
jason.kellhofer@usdoj.gov

Barbara D. Kocher
U.S. Attorney's Office
310 New Bern Aveue
Suite 800
Raleigh, NC 27601
barb.kocher@usdoj.gov

Robert J. McAfee
McAfee Law, P.A.
P.O. Box 905
New Bern, NC 28563
rjm@mcafee-law.com

Paul K. Sun, Jr.
Ellis & Winters
PO Box 33550
Raleigh, NC 27636-3550
Paul.Sun@elliswinters.com

Joseph E. Zeszotarski, Jr
Poyner & Spruill
P.O. Box 10096
Raleigh, NC 27605
jzeszotarski@poynerspruill.com